

REMARKS

Claims 1-63 are pending in the present application. Claims 1-63 have been rejected. No claims have been allowed. Claims 1, 23, 37, 54 and 63 have been amended herein. No claims have been canceled. No new claims have been added.

The Final Office Action mailed January 16, 2008 has been carefully considered by Applicants. Reconsideration in view of the foregoing claim amendments and following remarks is respectfully requested.

Claim Rejections under 35 U.S.C. § 103

Claims 1-4, 6-7, 15-18, 23-27, 32-35, 37-40, 45-48, 50-54 and 61 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0139190 to Steelberg (“Steelberg”) in view of U.S. Patent No. 6,234,900 to Cumbers (“Cumbers”). Claims 5, 8-14, 19-22, 28-31, 36, 41-44, 49, 55-60 and 62-63 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Steelberg in view of Cumbers and further in view of U.S. Patent No. 6,264,557 to Schneier (“Schneier”). Applicants respectfully traverse these § 103(a) rejections, and submit that these rejections have been overcome in any event through the new amendments.

As noted previously, the present invention is generally directed toward the verification of appropriate players for the play of wager-based games at remote gaming terminals. The claimed systems and methods generally involve the use of a first communication device that provides wager-based gaming events at a remote gaming terminal via a first mode of communication, and a second communication device that obtains verifying information regarding the specific player at the remote gaming terminal via a separate second mode of communication *immediately before and/or during the gaming session*. Steelberg does not teach such a second mode of player verification that occurs immediately before and/or during the gaming session.

Again, Applicants strongly disagree that a fingerprint of a player constitutes a visual image of that player. Given the pending specification as filed and its description of visual pictures or video of a person, one of skill in the art would not understand that such a “visual image” of a player can be a mere fingerprint of the player. Such a visual image is more than just a simple fingerprint. Accordingly, the § 103 rejections of all claims requiring the visual image of a player fail for at least this reason.

Furthermore, various pending claims specifically require that such visual images of the player be taken by a camera built into a cellular phone. Such claims include, for example, dependent claims 20, 36 and 49. Neither Steelberg nor Schneier discloses such visual images of a player being taken by a cellular phone, and one of skill in the art would not read the referenced passages of Schneier as teaching visual images taken by a cellular phone. In short, the rejections of at least these claims are simply inappropriate. Accordingly, the § 103 rejections of at least claims 20, 36 and 49 fail for at least this additional reason. Applicants respectfully request the withdrawal of the § 103 rejections of at least these claims.

Nevertheless, in the interests of furthering prosecution, Applicants have amended each of the pending independent claims to more clearly articulate that which is being claimed in light of the prior art of record. In particular, each of independent claims 1, 23, 37, 54 and 63 has been amended to recite a *mobile* remote gaming terminal. Support for such an item can be found throughout the original specification as filed, such as remote gaming terminal 109 of FIG. 3 and its accompanying description. Furthermore, each of independent claims 1, 23, 37, 54 and 63 has been amended to recite the limitation “wherein said one or more acceptable criteria includes an appropriate age of said player.” Applicants respectfully submit that these clarifying amendments further distinguish the present invention over the prior art of record.

Although amendments have been made herein, Applicants respectfully reserve the right to pursue the originally filed claims in this or a continuing application.

CONCLUSION

Applicants respectfully submit that all claims are in proper form and condition for patentability, and thus request a Notification of Allowance to that effect. Consideration for the RCE fee is being submitted herewith. Should such consideration be inadvertently omitted, and/or should any other fee be required for any reason related to this document, then the Commissioner is hereby authorized to charge said fee to Deposit Account No. 50-0388, referencing Docket No. IGT1P105. The Examiner is respectfully requested to contact the undersigned attorney at the telephone number below with any questions or concerns relating to this document or application.

Respectfully submitted,
BEYER LAW GROUP LLP

Date: April 16, 2008

/justinwhite/
Justin A. White, Esq.
Registration No. 48,883

P.O. Box 1687
Cupertino, CA 95015-1687
(408) 255-8001